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Preface

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PREFACE

The law is often slow to reflect reality. There are a myriad of reasons to explain why legal doctrines often linger beyond their intended usefulness, but rarely do those explanations stand up to close scrutiny. Volume 26 of the Golden Gate University Women's Law Forum challenges some of these long-standing doctrines, and demonstrates how the law can be changed to reflect reality.

This year's women's law forum touches on a variety of issues. The notion of rape as a violent crime perpetrated by strangers is debunked, showing instead the reality of rape—a crime mostly committed by acquaintances without any physical violence. Another writer challenges California's conclusive presumption of paternity, a common law doctrine that has lost much of its usefulness due to modern family circumstances and greater certainty in determining parenthood. Changes intended to introduce economic reality into the Aid to Families with Dependent Children program are also discussed. Two writers tackle employment discrimination law, one advocating an end to the “divinity exception” that allows religious employers freedom to discriminate, and another recognizing that Title VII's enumeration of separate categories of discrimination must allow for claims of “intersections” of these categories. Finally, the Journal explores the experiences of women challenging restrictive labor practices.

This forum could not have been possible without the strength and dedication of the writers, to whom I am deeply indebted. Their work should challenge established theories and hopefully provoke discussion. The faculty and administration of Golden Gate University School of Law also deserve thanks for their continuing support, especially Professor Roberta Simon, whose editorial comments were invaluable. Kevin McGee and the editorial staff have been there since the beginning as friends and colleagues. Finally, thanks to all others who contributed their kindness and support (you know who you are).

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Editor, Women's Law Forum